The Southern PATRIOT

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Kentucky Senate Gets Bill Asking School Integration

Governor Talmadge of Georgia talked ominously last month about using state militia to defend segregation in the public schools. Mississippi House passed a bill granting school officials the power to assign children to particular school districts—a measure admittedly designed only to "give us five or six years time" after a court ruling abolishing segregation.

But in Kentucky the legislature was not indulging in any such wistful foolishness. Senator C.W.A. McCann of Louisville introduced a bill that would:

1. Require all educational institutions to admit qualified students regardless of race, color, creed, religion or national origin. Denominational schools are exempted from the provisions covering creed and religion.

2. Repeal the Day Law requiring separate schools for white and Negro students.

3. Repeal the section of Kentucky's Constitution that requires separate schools for whites and Negroes.

This bill has the support of the Militant Church Movement, which circulated petitions throughout the state, seeking such action. The SCEF has written contributors in Kentucky urging them to back the bill (Senate Bill No. 6).

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Delegates to the Southern Political Science Association meeting in Gainesville, Fla., were told by Prof. Ernest R. Bartley of the University of Florida that "the court is ready to meet the segregation issue head-on" and will declare it unconstitutional.

Dr. Robert J. Harris of Louisiana State University criticized the "separate but equal" formula, declaring that "disparities between the facts of higher education for the two races in the South are so great that even the most obtuse must recognize them."

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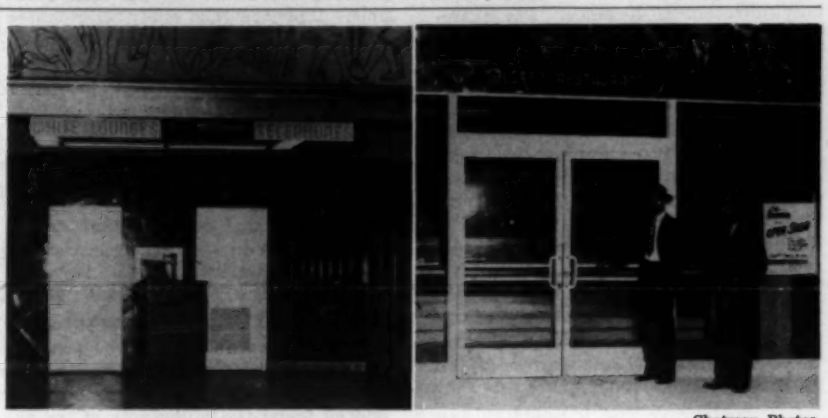
Thurgood Marshall, NAACP chief counsel, told newspaper men in Birmingham, Ala., that he would recommend a "school-by-school" approach to complete integration of Southern educational facilities, if the Supreme Court should outlaw segregation.

He predicted that the task would be

(Continued on Page 2.)



—Chatman Photos

SHINY NEW MAUSOLEUM OF DEMOCRACY

New N. O. Terminal: Chrome Jim Crow

New Orleans' new $2,250,000 union railroad terminal opened last month, bright, shiny, modern—and Jim Crowed.

Travelers, on entering the station found restaurant and rest room facilities on the left labeled "Colored" and those on the right "White." The white restaurant included a cocktail lounge; the smaller Negro lunch counter was not yet completed. Tacitly, a color line divided seats in the main waiting room.

The SCEF sensed the intention of city and railroad officials to incorporate segregation in the building several years ago. In June of 1951 a citizen group called upon the railroad representative. He presented the blueprints, which bore no racial designation, but said that the Terminal Board would have the final say.

It was not possible to get a clearcut statement from the board.

At the time the group contemplated seeking a restraining injunction against the board, but the difficulties of showing legal cause for action were considered too great. Now, however, with segregation a reality the situation is simplified Gaudy plastic placards — the **latest** in swank—leave no doubt as to the city fathers' intentions.

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Senators Ives (R.-N.Y.) and Butler (R.-N.Y.) have introduced a bill to outlaw segregation in all common carriers engaged in interstate commerce. While this bill merely repeats the substance of Supreme Court decisions, it would simplify enforcement and remove the need for the filing of damage suits by persons discriminated against.

Last month, for example, the following court cases and petitions were initiated by Negro citizens:

In Mobile the father of two young children filed suit for $50,000 damages against the Southeastern Greyhound Lines because he and the children were obliged to stand up during a 98-mile journey and were ultimately ejected from the bus when they attempted to occupy seats in the "white" section.

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A former Air Force lieutenant, James Williams, has filed a challenge to the constitutionality of Florida's law requiring segregation of bus passengers. Williams was fined $200 last September for refusing to "move back" in a Coastal Stages bus. Because his discharge from service came shortly after the incident, the NAACP protested to the Defense Department. Military authorities denied there was any connection.

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In Louisville, C. Ewbank Tucker, attorney who successfully challenged depot segregation in that city (See S.P., January 1954), has asked the Interstate Commerce Commission to prohibit segregation of passengers by three railroad lines. The companies cited were the Louisville and Nashville, the Illinois Central and the Chesapeake and Ohio.

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The NAACP received assurances from the Army that it will take no disciplinary action against 50 servicemen arrested and fined in Columbia, S. C., after a seating dispute on a bus.

The mass arrest occurred when one of the soldiers refused to comply with a local segregation ordinance.

LETTERS: A COURTEOUS COMPLAINT & AN ALABAMA REPLY

To the Editor:

Some time ago I received an appeal from your organization for support of an effort to overcome injustice in the hospitalization of Negroes. The examples of injustice were extreme and were of such a type that no decent person, it seemed to me, could fail to be concerned about such situations. I replied by sending only one dollar because I wanted to have more literature from your organization in order to know whether this hospital issue was being handled as a separate project or as a part of a comprehensive program to remove all segregation. From the literature which I received, I believe that the latter is true and since there are some instances of segregation which I do not oppose at this time, I feel that I should express myself on the subject.

I do not believe that it would be wise to attempt to remove segregation from elementary and high schools in states and localities where there is strong local feeling against it. Success in removing segregation from colleges does not, I believe, mean that good results would necessarily follow integration at the lower levels of education. Elementary education and some high school education is compulsory. The child has no choice about attending. This is not true of college education. If tensions exist, I believe they would be expressed within the younger child's school, and that the progress toward brotherhood which you seek would not develop merely through compulsory removal of segregation from the schools of a district in which opposition to the move was strong.

I have read and reread the arguments listed in the December, 1953, issue of **The Southern Patriot** and I have come to the conclusion that emotion has in some cases been substituted for clear statement of issues. The identification of segregation with inferiority in schools is certainly justified on the basis of past history, but I do not see that such identification is necessarily permanent. I understand that great progress is being made in the South in the improvement of colored schools and I believe that it might be possible to gain much support for efforts to bring these schools up to the standards of white schools.

I am not a Southerner and I do not base my convictions on personal experience. I have a vivid memory of the failure of Prohibition and have long felt that efforts to coerce large numbers of people to follow patterns radically different from those they would choose are apt to be disastrous.

I believe that the establishment of better racial relationships and of greater justice for all can best be found through tolerant efforts to meet all sincere viewpoints as to methods of solving problems. I believe that many who oppose rapid integration of elementary and secondary schools are sincere.

MISS ELIZABETH F. HARWELL
Dayton, Ohio

Editor's Note:

This sincere and thoughtful letter deserves an equally considerate comment. Perhaps the best response that can be made is to cite the experience of an SCEF supporter in Alabama. He wrote us as follows:

Yesterday I was talking with a college teacher from Colorado who was "going back where he came from" at the end of the term at his college here. He said he found the callousness of the native white Alabamian toward the Negro people intolerable. He saw only futility in trying to educate white students whose moral outlook was "so macabre."

So I asked him just what gave the Colorado scene a moral superiority. The church? Political groups? "Leading" families?

He paused. He admitted that the Mexican and the Indian were given treatment greatly resembling the oppression of the Negro in Alabama. But there was a great difference in the degree of oppression and that difference was due—to the public schools.

"Anglo," Mexican and Indian all attended the same elementary school, the same high school. Here democracy was preached and practiced. The "Anglo" came to know that the others were human beings.

And later in life, although the "Anglo" might snub, shun or cheat the others, he is restrained to some extent by the realization that they are human beings. He might even sense that he was doing wrong.

This is what this Coloradan told me. I thought he had an interesting point.

Does the point have relevance as an answer to Mrs. Harwell's objections to the SCEF program.

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To the Editor:

Permit me to congratulate you on a masterful piece of literature, "The Untouchables".

As a psychologist, I must say that your piece of literature is factual and therefore cannot be accused of being "pleading", and the illustrations cannot but help emphasize the story.

It is an uphill battle, but one has but to look at the record of ten years ago to see that the South is awakening and awakening very fast.

I am particularly happy to know that your organization is in the South and therefore is not going to be subjected to the often repeated and, to me, meaningless charge "Yankee propaganda".

DR. JOSEPH M. WEIDBERG
Miami Beach, Fla.

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To the Editor:

May I take this opportunity to tell you how deeply impressed we were with the pamphlet "The Untouchables." We think its content, discussion, and artwork each tell a powerful story.

MRS. RICHARD W. SCHAYER,
Chicago, Ill.

Kentucky Senate

(Continued from Page 1.)

largely completed in four or five years. He said that orderly cooperation with local school officials should keynote the program, with "the big stick" of a court decision being used only as a last resort.

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In West Virginia, where integration in education has proceeded more slowly than its "border state" status would indicate, state college presidents are to meet to discuss admission of Negro students for undergraduate courses not offered in the state's two Negro institutions.

The proposal was presented by James H. Rowland, a Beckley attorney, who is the only Negro member of the state board of education.

At West Virginia Wesleyan College seven Negro students are attending classes, but are not allowed to live in campus housing facilities. The student government association has sent resolutions of protest to administration officials.

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President Ralph B. Draughon of Alabama Polytechnic Institute (Auburn) foresees the admission of Nego students to his college if the court decision outlaws segregation.

He anticipated no great upheaval, expecting instead that the Negro entrants would be "swallowed up" in the 7,000-member student body.

Although conservatively couched, Dr. Draughon's pronouncement is remarkable in that the heads of most state institutions seem to be stricken dumb when this subject is mentioned. Alabama is one of five Southern states which have so far resisted admission of Negro graduate students to "white" schools.

Groveland Survivor Loses Last Appeal

Walter Irvin, survivor of the notorious Groveland, Fla., reign of terror, now faces the electric chair. The U.S. Supreme Court last month refused to review his second conviction for the rape of a white woman.

Irvin and three other Negro youths were charged with assault in 1949, and the incident set off rioting in the orange-raising center that obliged the Negro community to flee for safety. One of the suspects was killed by a "posse," allegedly resisting arrest.

Irwin and Samuel Shepherd were sentenced to death. The U.S. Supreme Court reversed the verdict with a stinging comment on the incendiary conduct of local newspapers.

Shepherd was shot to death and Irwin badly wounded by Groveland's sheriff while being transferred from a state prison to face a new trial.

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Mrs. Mary Church Terrell, 94-year-old fighter for racial justice, led a delegation to Atlanta to seek a pardon for Mrs. Rosa Ingram, Negro mother convicted of slaying a white farmer in 1947.

The delegation prayed and sang hymns on the steps of the state capitol, but neither Governor Talmadge nor the parole board would grant them audience.

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The FBI has begun investigation of an Alabama sheriff's slaying of a Negro prisoner who had earlier testified against him in a federal liquor conspiracy trial.

Last September Moses Jones testified in Mobile that Clarke County Sheriff Jenkins Hill and two other men had tried to get him to sell bootleg whisky on a "protection" basis. When he refused he was beaten up and told to leave the county.

The case ended in mistrial, but the U.S. attorney was readying new charges.

On Dec. 29 Sheriff Hill served a fugitive warrant on Jones in Bessemer, Ala., asserting he had not paid a fine for a previous offense. Friends of Jones said they attempted to pay the fine, but neither the sheriff nor Bessemer officials would accept the money.

According to the sheriff, Jones "tried to jump" him when they reached the jail in Grove Hill, Ala. Three shots were fired into Jones' body, but investigators were only able to find one bullet in the jail. There were no witnesses.

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Wilburn Stevenson, a Negro resident of Wewoka, Okla., was shot five times in the back by a highway patrolman following a traffic dispute on Christmas eve. Two witnesses, a man and wife, filed statements declaring that Stevenson made no resistance and was knocked down twice before being shot.

The Oklahoma NAACP is demanding legal action be taken in the case.

EVEN THE MULE DON'T EAT

A U.S. Department of Agriculture official stated at Tuskegee Institute last month that 93 per cent of the Negro farmers in the South earned less than $2,000 a year.

About two-fifths of all farmers, white and Negro, in the region earn less than that, Howard Bertch estimated. He said the yield per man is about half that of other areas of the country. Two-thirds of the South's farms still depend on mules rather than machinery.

In Greenville, You Can Eat, Maybe - -

The city of Greenville, S. C., has an ordinance prohibiting the serving of both white and Negro in restaurants—but the city is afraid to enforce it.

Recently the white proprietor of a cafe was arrested for serving a soldier whom local police presumed to be a Negro.

John Bolt Culbertson, attorney for the restaurant owner, announced that he was prepared to carry the case to the U.S. Supreme Court in a challenge to the law's constitutionality.

The city saw the danger. The case was dropped. "The law is the law, and must be enforced," the Greenville **Piedmont** reasoned, "but, in as delicate a matter as this, all concerned should be given the benefit of every doubt before charges are made."

Or, in other words, if you want to keep laws like this on the books, you had better not let anybody know they are there.

Drive Starts With A Bang!

A meeting to plan a southwide campaign to preserve segregation and prevent "mongrelization" was called last month in Phoenix City, Ala.

About 20 people showed up.

A television cameraman was slugged and kicked for taking a picture at the gathering.

Then the chairman went on with his address: "We are law-abiding people and want to uphold the law. . ."

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In Lexington County, S.C., a group of white parents filed federal suit charging that school facilities available to their children were inferior to those offered Negroes.

Books in Brief

OUTSPOKEN, 150 years of The News and Courier, by HERBERT RAVENEL SASS, University of South Carolina Press, Columbia, $3.00.

William Watts Ball was editor of the Charleston **News and Courier** from 1927 to 1951. During this period the newspaper "became the ablest champion of the philosophy of States Rights and limited democracy under an editor who both in intellectual stature and editorial impact would overtop all his predecessors."

The democracy advocated by Mr. Ball was "limited" indeed. He was, writes Mr. Sass:

> **A determined advocate of racial separation, with equal justice to both races, he proposed abandonment of the primary when federal courts threw it open to Negroes, and abandonment of the public school system as at present set up if further federal aggression should decree mixture of the races in the state's schools.**

In his final paragraph the author writes, "The spirit, the soul of the **News and Courier** has been a development, an evolution, and this has been pretty consistently an evolution upward—a fact to be emphasized for many a newspaper's soul has descended and shrunk". Well, the **Spirit and Soul** of the "Old Lady of Broad Street" must have been miniscule indeed, for after 150 years of evolution it still is not broad enough to live on a basis of equality with the spirit and soul of its dark-skinned contemporaries.

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THE SOUTH CAROLINA GAZETTE 1732 - 1775, by HENIG COHEN, University of South Carolina Press, Columbia, $6.00.

The **South Carolina Gazette** is notable for its span of continuous publication and the completeness of existing files. This volume consists largely of classified, double column excerpts that I scanned with little success, looking for references to Charleston's colored population. Finally I concluded there were no Negroes living in Charleston during this 40-year period. Then I found the statement by the author that in 1770 Charleston had a population of 11,000, half of which was Negro.

Undoubtedly the author's statement is true, that the file of the **Gazette** "is a treasure trove, especially for the cultural and social historian," but the material presented here adds little to the fund of information of the historian concerned with the considerable part which Negroes played in that culture.